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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

CHRISTIAN WIRTH, BRANDON TREIBER,
GIANCARLO MONROY, individually and on
behalf of other members of the general public
similarly situated and on behalf of other
aggrieved employees pursuant to the California
Private Attorneys General Act;

Plaintiffs,

vs.

MB2 RACEWAY, INC., a California
corporation; MB2 RACEWAY T.O., INC., a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No. 20STCV22600

Honorable Elihu M. Berle
Department 6

CLASS ACTION

**DECLARATION OF BRANDON
TREIBER IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

[Notice of Motion and Motion for
Preliminary Approval of Class Action and
PAGA Settlement; Declaration of Proposed
Class Counsel (Ryan Slinger); and
[Proposed] Order filed concurrently
herewith]

Date: May 24, 2024
Time: 10:00 a.m.
Department: 6

Complaint Filed: June 11, 2020
FAC Filed: January 13, 2021
Trial Date: None Set

DECLARATION OF BRANDON TREIBER

I, **Brandon Treiber**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am a named plaintiff in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by MB2 Raceway, Inc. and MB2 Raceway T.O., Inc. (together, “Defendants”) as an hourly-paid Track Lead Supervisor from April 2018 to approximately July 2019. I decided to seek legal advice about my work experiences with Defendants and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Defendants paid me and other employees what was owed to us and were held accountable for their practice of not properly compensating their employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour class action lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately **5 hours**. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for **8 hours** discussing my situation, complex wage-and-hour class actions in general, and what it meant to be a named plaintiff, class representative, and eventually a PAGA representative.

3. I have spent over **16 hours** communicating with my attorneys regarding the case and fulfilling my responsibilities as a named plaintiff, class representative, and PAGA representative, which included gathering documents concerning my employment with Defendants, reviewing documents with my attorneys, providing guidance regarding the duties of hourly-paid and non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Defendants. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained.

4. Throughout my involvement in this case, I was available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave

1 them as much information and identified as many documents as I could. I spent at least **10**
2 **additional hours** speaking with my attorneys about the case, identifying potential witnesses,
3 providing my attorneys with documents and information concerning the case, and also
4 describing policies, practices, and procedures of Defendants.

5 5. During the discovery phase of the litigation, I spent approximately **5 hours**
6 reviewing Defendants' discovery requests, locating documents, and providing documents and
7 information to my attorneys in connection with the responses to the discovery requests.

8 6. As far as the settlement is concerned, I was available to review documents and
9 answer any questions my attorneys had. I spent about **2 hours** reviewing the settlement
10 agreement and about **2 hours** asking questions and discussing the potential settlement with my
11 attorneys before signing the settlement agreement.

12 7. I believe that I have done everything that my attorneys have asked of me and have
13 tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees
14 and the State of California. I think my efforts helped to get the result obtained in this case, and
15 as a class and PAGA representative, I respectfully request that the Court award me a service
16 payment in the amount of \$5,000.00 for my active participation in this case. Taking into
17 consideration the time that I have dedicated to this case, I believe that this amount is reasonable.

18 8. I am not related to anyone associated with Lawyers *for* Justice, PC.

19 9. I have not entered into any undisclosed agreements, nor have I received any
20 undisclosed compensation in this case. The only compensation I will receive is whatever amount
21 the Court awards as a service payment, as well as my share of the settlement as a class member
22 and as an aggrieved employee.

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct.

25 Executed this 30th day of April 2024, at Newbury Park, California.

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Brandon Treiber